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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,078	12/27/2000	Stuart Lloyd Geary	07 37549	3272

22150 7590 12/09/2005  
F. CHAU & ASSOCIATES, LLC  
130 WOODBURY ROAD  
WOODBURY, NY 11797

EXAMINER
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JEANTY, ROMAIN

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/749,078	<b>Applicant(s)</b> GEARY, STUART LLOYD	
	<b>Examiner</b> Romain Jeanty	<b>Art Unit</b> 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### **Election/Restrictions**

1. This Non-Final Office Action is in response to Applicant's election with traverse of claims 11-19 in the reply filed on August 25, 2005 is acknowledged. The traversal is on the ground(s) that the details of a page should not make such utility separate. This is not found persuasive because a message including an identifier of a page is not in claim 1, which will cause an undue burden on the examiner. Thus, the requirement is still deemed proper because both inventions depend on different subclasses, and is therefore made **FINAL**.

### **Claim Rejections - 35 USC § 112**

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 recites that the client being configured... It is unclear as to what the client is configured to do. Appropriate correction is required.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitmyer, Jr. "Whitmyer" (U.S. Patent No. 6,049,801) in view of Olapurath (U.S. Patent No. 6,678,714).

As per claims 11-13, Whitmyer discloses a website providing professional services. In so doing, Whitmyer discloses maintaining a record of information for determining the approach of task due dates for a plurality of client entities (i.e., a database for storing client information for providing services. Note col. 3, lines 51-58), sending an electronic message to a client entity for which a task due date falls within a succeeding predetermined period, said message including an identifier of a page obtainable from a hypermedia server (col. 7, lines 43-50), receiving and displaying said message at a client apparatus (col. 7 lines 59-62), performing a selection operation of said identifier in said displayed message and in response thereto, loading the identified page into a hypermedia browser of the client apparatus (col. 3 line 65 through col. 4 line 13), sending a hypermedia form page from said hypermedia server, said form page identifying the task whose due date triggered said message and having input means for accepting task performance instructions in respect of said task (col. 6, lines 25-54). Whitmyer does not explicitly disclose the concept accepting a task performance instruction in respect using said input means and submitting said instruction to said hypermedia server, receiving said instruction at the hypermedia server, and performing said task in response to a received instruction.

Olapurath discloses task management system which allows a web server to receive instructions for performing for a client (col. 4, lines 53-67). It would have been obvious to a person of ordinary skill in the art would have been motivated to modify the disclosures of Whitmyer to

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incorporate the teachings of Olapurath in order to perform professional services desired by a client.

As per claim 14, Whitmyer further discloses wherein a login form page is identified by said identifier, said login form page including controls for the input of a username and a password, and said hypermedia form page is sent in response to submission of a valid username-password combination using said login form page (col. 5, lines 43 through col. 6 line 5).

As per claim 15, Whitmyer further discloses wherein said task is a payment of a renewal fee for an intellectual property (col. 7, lines 31-42).

Claims 16-19 are method claims corresponding to system claims 11-15, and are rejected under 35 U.S.C 103 for the same reason set forth in claims 16-19.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. RE38633 to Srinivasan, discloses an electronic network based project management server system.

b. Feinleib (U.S. Patent No. 6,272,532), discloses a system which sends electronic messages as reminders of critical dates.

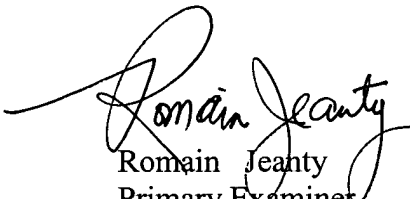
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 15, 2005

  
Romain Jeanty  
Primary Examiner  
Art Unit 3623